THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 19584 of 2007

Date:14-09-2007

Between:

Alladi Kishan Rao and four others ...
Petitioners

AND

The District Collector, Karimnagar and two others
.. Respondents

ORDER:

The petitioners seek a writ of mandamus to direct the respondents to act in accordance with law and forbear from encroaching into petitioners' lands and thereby dispossessing them from their lands without due process of law and without inviting them about the invalidating factors relating to their possession and enjoyment over the Plot Nos.653, 717, 664, 670 and 591 in Sy.No.126 of Rekurthy village.

It is the case of the petitioners that they have purchased 200 square yards of land each by registered sale deeds in the year 1999 from one Kante Shanker and also obtained lay out from the concerned Gram Panchayat for construction of the residential houses. But, while so, the revenue authorities have been threatening them to dispossess from the said lands without any due process of law.

The perusal of the entire affidavit does not disclose on which date the respondents came and threatened the petitioners. If really there is any threat by the respondents, the petitioners could have made a representation before the concerned authorities. Therefore, I am of the opinion that without any demand or request/representation to the concerned authorities, no writ of mandamus can be issued. Hence, the writ petition is not maintainable and is liable to be dismissed.

Accordingly, the writ petition is dismissed. However, the dismissal of this writ petition will not preclude the petitioners to make a representation and to work out their remedies. No costs.

_____

V.ESWARAIAH, J.

Date:
14.09.2007
ccm